S.B.C.MISC. APPEAL NO.215/97

Date of Order :- 18.12.06

HON'BLE MR.JUSTICE PRAKASH TATIA.

Mr. Anil Upadhayay, counsel for the appellant.
Mr.Sangeet Lodha , counsel for the respondent.

This appeal was admitted by order dated 2nd April 1997. Interim order was passed by this Court on 2nd April 1997 that in the meanwhile if any of the respondents enter in to an agreement to transfer the property in any manner they shall specifically mention in the agreement or conveyance executed by them that this suit is pending and the agreement or conveyance are being executed subject to the result of the litigation.

Interim order was passed by the trial Court as back as on 22nd March 1997 and in view of the order of this Court dated 2nd April 1997 and in view of the fact that according to the respondent the sale deed has been executed incorporating the condition imposed by this Court in its order dated 22nd April 1997. Nothing survive in this appeal Hence, this appeal is disposed of in light of the interim order dated 22nd April 1997 and that condition shall continue operative till the decision of the suit in case any agreement or conveyance is executed.

The appeal is disposed of.

(PRAKASH TATIA)J.

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